

FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO
San Miguel Electric Cooperative, Inc.

AUTHORIZING THE OPERATION OF
San Miguel Plant
Electric Services

LOCATED AT
Atascosa County, Texas
Latitude 28° 42' 32" Longitude 98° 28' 20"
Regulated Entity Number: RN100226539

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site, emission units and affected source listed in this permit. Operations of the site, emission units and affected source listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site, emission units and affected source authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site, emission units and affected source.

Permit No: O85 Issuance Date: _____

For the Commission

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General Terms and Conditions

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

Special Terms and Conditions:

Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting

1. Permit holder shall comply with the following requirements:
 - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
 - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
 - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.
 - D. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.
 - E. Emission units subject to 40 CFR Part 63, Subparts ZZZZ and Subpart UUUUU as identified in the attached Applicable Requirements Summary table are subject to 30 TAC

Chapter 113, Subchapter C, §113.1090 and §113.1300 respectively, which incorporate the 40 CFR Part 63 Subparts by reference.

- F. For the purpose of generating discrete emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 4 (Discrete Emission Credit Banking and Trading), the permit holder shall comply with the following requirements:
 - (i) Title 30 TAC § 101.372 (relating to General Provisions)
 - (ii) Title 30 TAC § 101.373 (relating to Discrete Emission Reduction Credit Generation and Certification)
 - (iii) Title 30 TAC § 101.374 (relating to Mobile Discrete Emission Reduction Credit Generation and Certification)
 - (iv) Title 30 TAC § 101.378 (relating to Discrete Emission Credit Banking and Trading)
 - (v) The terms and conditions by which the emission limits are established to generate the discrete reduction credit are applicable requirements of this permit
- 2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
 - A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
 - B. Title 30 TAC § 101.3 (relating to Circumvention)
 - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
 - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
 - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
 - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
 - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)
 - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
 - I. Title 30 TAC § 101.222 (relating to Demonstrations)
 - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
- 3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
 - A. Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six-minute period. The permit

holder shall comply with the following requirements for stationary vents at the site subject to this standard:

- (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(1)(E)
- (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
- (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non-fuming liquids; vents that provide passive ventilation, such as plumbing vents; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the "Applicable Requirements Summary" attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:
 - (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
 - (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
 - (3) Records of all observations shall be maintained.
 - (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet

prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

(5) Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
- (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - (1) An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
 - (2) Records of all observations shall be maintained.

- (3) Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (4) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A)
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

C. For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:

- (1) An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
 - (2) Records of all observations shall be maintained.
 - (3) Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
 - (4) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A)
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- D. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- E. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).

- F. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following requirements:
 - (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
 - (ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in 30 TAC § 111.151(b)
 - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
- G. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
 - (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
 - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)
 - (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
 - (iv) Title 30 TAC § 111.211 (relating to Exception for Prescribed Burn)
 - (v) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
 - (vi) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
- 4. Permit holder shall comply with the following 30 TAC Chapter 115, Subchapter C requirements:
 - A. When filling gasoline storage vessels with a nominal capacity greater than 1,000 gallons (Stage I) at motor vehicle fuel dispensing facilities, which have dispensed less than 100,000 gallons of gasoline in any calendar month after October 31, 2014, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
 - (i) Title 30 TAC § 115.222(3) (relating to Control Requirements), as it applies to liquid gasoline leaks, visible vapors, or significant odors
 - (ii) Title 30 TAC § 115.222(6) (relating to Control Requirements)
 - (iii) Title 30 TAC § 115.224(1) (relating to Inspection Requirements), as it applies to liquid gasoline leaks, visible vapors, or significant odors
 - (iv) Title 30 TAC § 115.226(2)(B) (relating to Recordkeeping Requirements)
- 5. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:
 - A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)
 - B. Title 40 CFR § 60.8 (relating to Performance Tests)

- C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
 - D. Title 40 CFR § 60.12 (relating to Circumvention)
 - E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
 - F. Title 40 CFR § 60.14 (relating to Modification)
 - G. Title 40 CFR § 60.15 (relating to Reconstruction)
 - H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)
6. The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 for units subject to any subpart of 40 CFR Part 63, unless otherwise stated in the applicable subpart.
 7. The permit holder shall comply with certified registrations submitted to the TCEQ for purposes of establishing federally enforceable emission limits. A copy of the certified registration shall be maintained with the permit. Records sufficient to demonstrate compliance with the established limits shall be maintained. The certified registration and records demonstrating compliance shall be provided, on request, to representatives of the appropriate TCEQ regional office and any local air pollution control agency having jurisdiction over the site. The permit holder shall submit updated certified registrations when changes at the site require establishment of new emission limits. If changes result in emissions that do not remain below major source thresholds, the permit holder shall submit a revision application to codify the appropriate requirements in the permit.

Additional Monitoring Requirements

8. Unless otherwise specified, the permit holder shall comply with the compliance assurance monitoring requirements as specified in the attached "CAM Summary" upon issuance of the permit. In addition, the permit holder shall comply with the following:
 - A. The permit holder shall comply with the terms and conditions contained in 30 TAC § 122.147 (General Terms and Conditions for Compliance Assurance Monitoring).
 - B. The permit holder shall report, consistent with the averaging time identified in the "CAM Summary," deviations as defined by the deviation limit in the "CAM Summary." Any monitoring data below a minimum limit or above a maximum limit, that is collected in accordance with the requirements specified in 40 CFR § 64.7(c), shall be reported as a deviation. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).
 - C. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the "CAM Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances in order to avoid reporting deviations. All monitoring data shall be collected in accordance with the requirements specified in 40 CFR § 64.7(c).
 - D. The permit holder shall operate the monitoring, identified in the attached "CAM Summary," in accordance with the provisions of 40 CFR § 64.7.

- E. The permit holder shall comply with the requirements of 40 CFR § 70.6(a)(3)(ii)(A) and 30 TAC § 122.144(1)(A)-(I) for documentation of all required inspections.
- 9. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

New Source Review Authorization Requirements

- 10. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
 - A. Are incorporated by reference into this permit as applicable requirements
 - B. Shall be located with this operating permit
 - C. Are not eligible for a permit shield
- 11. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
- 12. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that is representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).
- 13. The permit holder shall comply with the following requirements for Air Quality Standard Permits:
 - A. Registration requirements listed in 30 TAC § 116.611, unless otherwise provided for in an Air Quality Standard Permit
 - B. General Conditions listed in 30 TAC § 116.615, unless otherwise provided for in an Air Quality Standard Permit

C. Requirements of the non-rule Air Quality Standard Permit for Pollution Control Projects

Compliance Requirements

14. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
15. Permit holder shall comply with the following 30 TAC Chapter 117 requirements:
 - A. The permit holder shall comply with the compliance schedule as required in 30 TAC § 117.9300 for electric utilities in East and Central Texas.
16. Use of Discrete Emission Credits to comply with the applicable requirements:
 - A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117
 - (iii) If applicable, offsets for Title 30 TAC Chapter 116
 - (iv) Temporarily exceed state NSR permit allowables
 - B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
 - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
 - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
 - (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

Protection of Stratospheric Ozone

17. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone:
 - A. Any on site servicing, maintenance, and repair on refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes

shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holders shall ensure that repairs on or refrigerant removal from refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.

- B. Any on site servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR Part 82, Subpart B. Permit holders shall ensure that repairs or refrigerant removal are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart B.

Temporary Fuel Shortages (30 TAC § 112.15)

- 18. The permit holder shall comply with the following 30 TAC Chapter 112 requirements:
 - A. Title 30 TAC § 112.15 (relating to Temporary Fuel Shortage Plan Filing Requirements)
 - B. Title 30 TAC § 112.16(a), (a)(1), and (a)(2)(B) - (C) (relating to Temporary Fuel Shortage Plan Operating Requirements)
 - C. Title 30 TAC § 112.17 (relating to Temporary Fuel Shortage Plan Notification Procedures)
 - D. Title 30 TAC § 112.18 (relating to Temporary Fuel Shortage Plan Reporting Requirements)

Permit Location

- 19. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

Permit Shield (30 TAC § 122.148)

- 20. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

Acid Rain Permit Requirements

- 21. For unit BOILER 1 (identified in the Certificate of Representation to EPA as SM-1) located at the affected source identified by ORIS/Facility code 6183, the designated representative and the owner or operator, as applicable, shall comply with the following Acid Rain Permit requirements.
 - A. General Requirements
 - (i) Under 30 TAC § 122.12(1) and 40 CFR Part 72, the Acid Rain Permit requirements contained here are a separable portion of the Federal Operating

Permit (FOP) and have an independent public comment process which may be separate from, or combined with the FOP.

- (ii) The owner and operator shall comply with the requirements of 40 CFR Part 72 and 40 CFR Part 76. Any noncompliance with the Acid Rain Permit will be considered noncompliance with the FOP and may be subject to enforcement action.
- (iii) The owners and operators of the affected source shall operate the source and the unit in compliance with the requirements of this Acid Rain Permit and all other applicable State and federal requirements.
- (iv) The owners and operators of the affected source shall comply with the General Terms and Conditions of the FOP that incorporates this Acid Rain Permit.
- (v) The term for the Acid Rain permit shall commence with the issuance of the FOP that incorporates the Acid Rain permit and shall be run concurrent with the remainder of the term of the FOP. Renewal of the Acid Rain permit shall coincide with the renewal of the FOP that incorporates the Acid Rain permit and subsequent terms shall be no more than five years from the date of renewal of the FOP and run concurrent with the permit term of the FOP.

B. Monitoring Requirements

- (i) The owners and operators, and the designated representative, of the affected source and each affected unit at the source shall comply with the monitoring requirements contained 40 CFR Part 75.
- (ii) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 and any other credible evidence shall be used to determine compliance by the affected source with the acid rain emissions limitations and emissions reduction requirements for SO₂ and NO_x under the ARP.
- (iii) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emission of other pollutants or other emissions characteristics at the unit under other applicable requirements of the FCAA Amendments (42 U.S.C. 7401, as amended November 15, 1990) and other terms and conditions of the operating permit for the source.

C. SO₂ emissions requirements

- (i) The owners and operators of each source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for SO₂.
- (ii) As of the allowance transfer deadline the owners and operators of the affected source and each affected unit at the source shall hold, in the unit's compliance subaccount, allowances in an amount not less than the total annual emissions of SO₂ for the previous calendar year.
- (iii) Each ton of SO₂ emitted in excess of the acid rain emissions limitations for SO₂ shall constitute a separate violation of the FCAA amendments.
- (iv) An affected unit shall be subject to the requirements under (i) and (ii) of the SO₂ emissions requirements as follows:

- (1) Starting January 1, 2000, an affected unit under 40 CFR § 72.6(a)(2); or
- (2) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR Part 75, an affected unit under 40 CFR § 72.6(a)(3).
- (v) Allowances shall be held in, deducted from, or transferred into or among Allowance Tracking System accounts in accordance with the requirements of the ARP.
- (vi) An allowance shall not be deducted, for compliance with the requirements of this permit, in a calendar year before the year for which the allowance was allocated.
- (vii) An allowance allocated by the EPA Administrator or under the ARP is a limited authorization to emit SO₂ in accordance with the ARP. No provision of the ARP, Acid Rain permit application, this Acid Rain Permit, or an exemption under 40 CFR §§ 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (viii) An allowance allocated by the EPA Administrator under the ARP does not constitute a property right.

D. NO_x Emission Requirements

- (i) The owners and operators of the source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for NO_x under 40 CFR Part 76.
- (ii) Beginning on the effective date of the termination of the early election plan, but no later than January 1, 2008, the owners and operators shall comply with the Phase II NO_x standard emission limitation compliance plan for unit BOILER 1 (identified in the Certificate of Representation to EPA as SM-1), under which each unit's annual average NO_x emission rate for each year, determined using the methods and procedures specified in 40 CFR Part 75, shall not exceed the applicable emission limitation of 0.46 lb/MMBtu for dry bottom wall-fired units under 40 CFR § 76.7(a)(2).

E. Excess emissions requirements for SO₂ and NO_x.

- (i) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.
- (ii) If an affected source has excess emissions in any calendar year shall, as required by 40 CFR Part 77:
 - (1) Pay, without demand, the penalty required and pay, upon demand, the interest on that penalty.
 - (2) Comply with the terms of an approved offset plan.

F. Recordkeeping and Reporting Requirements

- (i) Unless otherwise provided, the owners and operators of the affected source and each affected unit at the source shall keep on site at the source each of the

following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the EPA Administrator.

- (1) The certificate of representation for the designated representative for the source and each affected unit and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR § 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.
 - (2) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period for recordkeeping (rather than a five-year period cited in 30 TAC § 122.144), the 3-year period shall apply.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ARP or relied upon for compliance certification.
 - (4) Copies of all documents used to complete an acid rain permit application and any other submission under the ARP or to demonstrate compliance with the requirements of the ARP.
- (ii) The designated representative of an affected source and each affected unit at the source shall submit the reports required under the ARP including those under 40 CFR Part 72, Subpart I and 40 CFR Part 75.

G. Liability

- (i) Any person who knowingly violates any requirement or prohibition of the ARP, a complete acid rain permit application, an acid rain permit, or a written exemption under 40 CFR §§ 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to FCAA § 113(c).
- (ii) Any person who knowingly makes a false, material statement in any record, submission, or report under the ARP shall be subject to criminal enforcement pursuant to FCAA § 113(c) and 18 U.S.C. 1001.
- (iii) No permit revision shall excuse any violation of the requirements of the ARP that occurs prior to the date that the revision takes effect.
- (iv) The affected source and each affected unit shall meet the requirements of the ARP contained in 40 CFR Parts 72 through 78.
- (v) Any provision of the ARP that applies to an affected source or the designated representative of an affected source shall also apply to the owners and operators of such source and of the affected units at the source.
- (vi) Any provision of the ARP that applies to an affected unit (including a provision applicable to the DR of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR § 72.44 (Phase II repowering extension plans) and 40 CFR § 76.11 (NO_x averaging plans), and

except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR §§ 75.16, 75.17, and 75.18), the owners and operators and the DR of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the DR and that is located at a source of which they are not owners or operators or the DR.

- (vii) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or DR of such source or unit, shall be a separate violation of the FCAA Amendments.
- H. Effect on other authorities. No provision of the ARP, an acid rain permit application, an acid rain permit, or an exemption under 40 CFR §§ 72.7 or 72.8 shall be construed as:
- (i) Except as expressly provided in Title IV of the FCAA Amendments, exempting or excluding the owners and operators and, to the extent applicable, the DR of an affected source or affected unit from compliance with any other provision of the FCAA Amendments, including the provisions of Title I of the FCAA Amendments relating to applicable National Ambient Air Quality Standards or State Implementation Plans.
 - (ii) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the FCAA Amendments.
 - (iii) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law.
 - (iv) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
 - (v) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.
- I. The number of SO₂ allowances allocated by the EPA in 40 CFR Part 73 is enforceable only by the EPA Administrator.

Cross-State Air Pollution Rule (CSAPR) Trading Program Requirements

22. For unit BOILER 1 (identified in the Certificate of Representation as unit SM-1), located at the site identified by ORIS/Facility code 6183, the designated representative and the owner or operator, as applicable, shall comply with the following CSAPR requirements. Until approval of a Texas CSAPR SIP by EPA, the permit holder shall comply with the equivalent requirements of 40 CFR Part 97.

A. General Requirements

- (i) The owners and operators of the CSAPR NO_x and the CSAPR SO₂ source shall operate the source and the unit in compliance with the requirements of the applicable CSAPR Trading Programs and all other applicable State and federal requirements.

- (ii) The owners and operators of the CSAPR NO_x and the CSAPR SO₂ source shall comply with the requirements of 40 CFR Part 97, Subpart AAAAA for CSAPR NO_x Annual Trading Program, Subpart DDDDD for CSAPR SO₂ Group 2 Trading Program, Subpart EEEEE for CSAPR NO_x Ozone Season Group 2 Trading Program, and with the General Terms and Conditions of the Federal Operating Permit (FOP) that incorporates the CSAPR requirements.

B. Description of CSAPR Monitoring Provisions

- (i) The CSAPR subject unit(s), and the unit-specific monitoring provisions at this source, are identified in the following paragraph(s). These unit(s) are subject to the requirements for the CSAPR NO_x Annual Trading Program, CSAPR SO₂ Group 2 Trading Program, and CSAPR NO_x Ozone Season Group 2 Trading Program.
 - (1) For unit BOILER 1, the owners and operators shall comply with the continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR Part 75, Subpart B for SO₂ and heat input as well as 40 CFR Part 75, Subpart H for NO_x and heat input.
- (ii) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR §§ 97.430 through 97.435 (CSAPR NO_x Annual Trading Program), §§ 97.730 through 97.735 (CSAPR SO₂ Group 2 Trading Program), and §§ 97.830 through 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.
- (iii) Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR §§ 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at <https://www.epa.gov/airmarkets/clean-air-markets-monitoring-plans-part-75-sources>.
- (iv) Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR § 75.66 and § 97.435 (CSAPR NO_x Annual Trading Program), § 97.735 (CSAPR SO₂ Group 2 Trading Program), and/or § 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.
- (v) Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR §§ 97.430 through 97.434 (CSAPR NO_x Annual Trading Program), §§ 97.730 through 97.734 (CSAPR SO₂ Group 2 Trading Program), and/or §§ 97.830 through 97.834 (CSAPR NO_x Ozone Season Group 2 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR § 75.66 and § 97.435 (CSAPR NO_x Annual Trading Program), § 97.735 (CSAPR SO₂ Group 2 Trading Program), and/or § 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.

- (vi) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR §§ 97.430 through 97.434 (CSAPR NO_x Annual Trading Program), §§ 97.730 through 97.734 (CSAPR SO₂ Group 2 Trading Program), and §§ 97.830 through 97.834 (CSAPR NO_x Ozone Season Group 2 Trading Program), and therefore procedures for minor permit revisions, in accordance with 30 TAC § 122.217, may be used to add or change this unit's monitoring system description.

23. CSAPR NO_x Annual Trading Program Requirements (40 CFR § 97.406)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.413 through 97.418.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.431 (initial monitoring system certification and recertification procedures), § 97.432 (monitoring system out-of-control periods), § 97.433 (notifications concerning monitoring), § 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (ii) The emissions data determined in accordance with 40 CFR §§ 97.430 through 97.435 and any other credible evidence shall be used to calculate allocations of CSAPR NO_x Annual allowances under 40 CFR §§ 97.411(a)(2) and (b) and § 97.412 and to determine compliance with the CSAPR NO_x Annual emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. NO_x emissions requirements

- (i) CSAPR NO_x Annual emissions limitation
 - (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR § 97.424(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source.

(2) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x Annual emissions limitation set forth in paragraph C.(i)(1) above, then:

- (a) The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall hold the CSAPR NO_x Annual allowances required for deduction under 40 CFR § 97.424(d); and
- (b) The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.

(ii) CSAPR NO_x Annual assurance provisions

(1) If total NO_x emissions during a control period in a given year from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR § 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.425(b), of multiplying -

- (a) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and
- (b) The amount by which total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state for such control period exceed the state assurance level.

(2) The owners and operators shall hold the CSAPR NO_x Annual allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

- (3) Total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the state NO_x Annual trading budget under 40 CFR § 97.410(a) and the state's variability limit under 40 CFR § 97.410(b).
- (4) It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state during a control period exceeds the common designated representative's assurance level.
- (5) To the extent the owners and operators fail to hold CSAPR NO_x Annual allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
 - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (b) Each CSAPR NO_x Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.

(iii) Compliance periods

- (1) A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.430(b) and for each control period thereafter.
- (2) A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.430(b) and for each control period thereafter.

(iv) Vintage of allowances held for compliance

- (1) A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for such control period or a control period in a prior year.
- (2) A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

- (v) Allowance Management System requirements. Each CSAPR NO_x Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA.
- (vi) Limited authorization. A CSAPR NO_x Annual allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (1) Such authorization shall only be used in accordance with the CSAPR NO_x Annual Trading Program; and
 - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart AAAAA, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (vii) Property right. A CSAPR NO_x Annual allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA.
- (ii) This FOP incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore, the Description of CSAPR Monitoring Provisions for CSAPR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (1) The certificate of representation under 40 CFR § 97.416 for the designated representative for the source and each CSAPR NO_x Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of

representation under 40 CFR § 97.416 changing the designated representative.

- (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Annual Trading Program.
- (ii) The designated representative of a CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall make all submissions required under the CSAPR NO_x Annual Trading Program, except as provided in 40 CFR § 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual source or the designated representative of a CSAPR NO_x Annual source shall also apply to the owners and operators of such source and of the CSAPR NO_x Annual units at the source.
- (ii) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual unit or the designated representative of a CSAPR NO_x Annual unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR NO_x Annual Trading Program or retired unit exemption under 40 CFR § 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Annual source or CSAPR NO_x Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

24. CSAPR SO₂ Group 2 Trading Program Requirements (40 CFR § 97.706)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.713 through 97.718.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.730 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.731 (initial monitoring system certification and recertification procedures), § 97.732 (monitoring system out-of-control periods), § 97.733 (notifications concerning monitoring), § 97.734 (recordkeeping and reporting,

including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.735 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (ii) The emissions data determined in accordance with 40 CFR § 97.730 through § 97.735 and any other credible evidence shall be used to calculate allocations of CSAPR SO₂ Group 2 allowances under 40 CFR §§ 97.711(a)(2) and (b) and § 97.712 and to determine compliance with the CSAPR SO₂ Group 2 emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.730 through 97.735 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. SO₂ emissions requirements

(i) CSAPR SO₂ Group 2 emissions limitation

- (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall hold, in the source's compliance account, CSAPR SO₂ Group 2 allowances available for deduction for such control period under 40 CFR § 97.724(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 2 units at the source.
- (2) If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 2 units at a CSAPR SO₂ Group 2 source are in excess of the CSAPR SO₂ Group 2 emissions limitation set forth in paragraph C.(i)(1) above, then:
 - (a) The owners and operators of the source and each CSAPR SO₂ Group 2 unit at the source shall hold the CSAPR SO₂ Group 2 allowances required for deduction under 40 CFR § 97.724(d); and
 - (b) The owners and operators of the source and each CSAPR SO₂ Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.

(ii) CSAPR SO₂ Group 2 assurance provisions

- (1) If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO₂ emissions during such control period exceeds the common designated

representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO₂ Group 2 allowances available for deduction for such control period under 40 CFR § 97.725(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.725(b), of multiplying -

- (a) The quotient of the amount by which the common designated representative's share of such SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and
 - (b) The amount by which total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR SO₂ Group 2 allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
 - (3) Total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total SO₂ emissions exceed the sum, for such control period, of the state SO₂ Group 2 trading budget under 40 CFR § 97.710(a) and the state's variability limit under 40 CFR § 97.710(b).
 - (4) It shall not be a violation of 40 CFR Part 97, Subpart DDDDD or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO₂ emissions from the CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.
 - (5) To the extent the owners and operators fail to hold CSAPR SO₂ Group 2 allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
 - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (b) Each CSAPR SO₂ Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.

- (iii) Compliance periods
 - (1) A CSAPR SO₂ Group 2 unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.730(b) and for each control period thereafter.
 - (2) A CSAPR SO₂ Group 2 unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.730(b) and for each control period thereafter.
- (iv) Vintage of allowances held for compliance
 - (1) A CSAPR SO₂ Group 2 allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR SO₂ Group 2 allowance that was allocated for such control period or a control period in a prior year.
 - (2) A CSAPR SO₂ Group 2 allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR SO₂ Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR SO₂ Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart DDDDD.
- (vi) Limited authorization. A CSAPR SO₂ Group 2 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (1) Such authorization shall only be used in accordance with the CSAPR SO₂ Group 2 Trading Program; and
 - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart DDDDD, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (vii) Property right. A CSAPR SO₂ Group 2 allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO₂ Group 2 allowances in accordance with 40 CFR Part 97, Subpart DDDDD.

- (ii) This FOP incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.730 through 97.735, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore the Description of CSAPR Monitoring Provisions for CSAPR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (1) The certificate of representation under 40 CFR § 97.716 for the designated representative for the source and each CSAPR SO₂ Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.716 changing the designated representative.
 - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart DDDDD.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO₂ Group 2 Trading Program.
- (ii) The designated representative of a CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall make all submissions required under the CSAPR SO₂ Group 2 Trading Program, except as provided in 40 CFR § 97.718. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR SO₂ Group 2 Trading Program that applies to a CSAPR SO₂ Group 2 source or the designated representative of a CSAPR SO₂ Group 2 source shall also apply to the owners and operators of such source and of the CSAPR SO₂ Group 2 units at the source.
- (ii) Any provision of the CSAPR SO₂ Group 2 Trading Program that applies to a CSAPR SO₂ Group 2 unit or the designated representative of a CSAPR SO₂ Group 2 unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR SO₂ Group 2 Trading Program or retired unit exemption under 40 CFR § 97.705 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO₂ Group 2 source or CSAPR SO₂ Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

25. CSAPR NO_x Ozone Season Group 2 Trading Program Requirements (40 CFR § 97.806)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.813 through 97.818.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.831 (initial monitoring system certification and recertification procedures), § 97.832 (monitoring system out-of-control periods), § 97.833 (notifications concerning monitoring), § 97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.835 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (ii) The emissions data determined in accordance with 40 CFR § 97.830 through § 97.835 and any other credible evidence shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 2 allowances under 40 CFR §§ 97.811 (a)(2) and (b) and § 97.812 and to determine compliance with the CSAPR NO_x Ozone Season Group 2 emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. NO_x emissions requirements

- (i) CSAPR NO_x Ozone Season Group 2 emissions limitation
 - (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR § 97.824 (a) in an amount not less than the tons of

total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 2 units at the source.

- (2) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 2 units at a CSAPR NO_x Ozone Season Group 2 source are in excess of the CSAPR NO_x Ozone Season Group 2 emissions limitation set forth in paragraph C.(i)(1) above, then:
 - (a) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold the CSAPR NO_x Ozone Season Group 2 allowances required for deduction under 40 CFR § 97.824 (d); and
 - (b) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.

(ii) CSAPR NO_x Ozone Season Group 2 assurance provisions

- (1) If total NO_x emissions during a control period in a given year from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR § 97.825 (a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.825 (b), of multiplying -
 - (a) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and
 - (b) The amount by which total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR NO_x Ozone Season Group 2 allowances required under paragraph C.(ii)(1) above, as of

midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

- (3) Total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the state NO_x Ozone Season Group 2 trading budget under 40 CFR § 97.810 (a) and the state's variability limit under 40 CFR § 97.810 (b).
- (4) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.
- (5) To the extent the owners and operators fail to hold CSAPR NO_x Ozone Season Group 2 allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
 - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (b) Each CSAPR NO_x Ozone Season Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.

(iii) Compliance periods

- (1) A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.830 (b) and for each control period thereafter.
- (2) A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.830 (b) and for each control period thereafter.

(iv) Vintage of allowances held for compliance

- (1) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated for such control period or a control period in a prior year.

- (2) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR NO_x Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE.
- (vi) Limited authorization. A CSAPR NO_x Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (1) Such authorization shall only be used in accordance with the CSAPR NO_x Ozone Season Group 2 Trading Program; and
 - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (vii) Property right. A CSAPR NO_x Ozone Season Group 2 allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE.
- (ii) This FOP incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.830 through 97.835, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subpart H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore the Description of CSAPR Monitoring Provisions for CSAPR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

- (1) The certificate of representation under 40 CFR § 97.816 for the designated representative for the source and each CSAPR NO_x Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.816 changing the designated representative.
 - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Ozone Season Group 2 Trading Program.
- (ii) The designated representative of a CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO_x Ozone Season Group 2 Trading Program, except as provided in 40 CFR § 97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 source or the designated representative of a CSAPR NO_x Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NO_x Ozone Season Group 2 units at the source.
- (ii) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 unit or the designated representative of a CSAPR NO_x Ozone Season Group 2 unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR NO_x Ozone Season Group 2 Trading Program or retired unit exemption under 40 CFR § 97.805 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Ozone Season Group 2 source or CSAPR NO_x Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

Attachments

Applicable Requirements Summary

Additional Monitoring Requirements

Permit Shield

New Source Review Authorization References

Applicable Requirements Summary

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Note: A “none” entry may be noted for some emission sources in this permit’s “Applicable Requirements Summary” under the heading of “Monitoring and Testing Requirements” and/or “Recordkeeping Requirements” and/or “Reporting Requirements.” Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R1153-1	30 TAC Chapter 111, Nonagricultural Processes	No changing attributes.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R112-1	30 TAC Chapter 112, Sulfur Compounds	Fuel Type = Solid fossil fuel.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R112-2	30 TAC Chapter 112, Sulfur Compounds	Fuel Type = Liquid fuel., Stack Height = The effective stack height is at least the standard effective stack height for each stack to which the unit routes emissions.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R117-1	30 TAC Chapter 117, Subchapter E, Division 1	No changing attributes.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	60D-1	40 CFR Part 60, Subpart D	D-Series Fuel Type #1 = Lignite.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	60D-2	40 CFR Part 60, Subpart D	D-Series Fuel Type #1 = Liquid fossil fuel.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	60D-3	40 CFR Part 60, Subpart D	D-Series Fuel Type #1 = Lignite., D- Series Fuel Type #2 = Liquid fossil fuel.
BOILER 1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	63UUUUU-1	40 CFR Part 63, Subpart UUUUU	No changing attributes.
FWP-1	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
FWP-2	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
LIGHAND1	COAL PREPARATION PLANTS	N/A	60Y-1	40 CFR Part 60, Subpart Y	No changing attributes.
STACK1	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	R1153-1	PM	30 TAC Chapter 111, Nonagricultural Processes	§ 111.153(b)	No person may cause, suffer, allow, or permit emissions of particulate matter from any solid fossil fuel-fired steam generator to exceed 0.3 pound of total suspended particulate per million Btu heat input, averaged over a two-hour period.	** See CAM Summary	None	None
BOILER 1	EU	R112-1	SO ₂	30 TAC Chapter 112, Sulfur Compounds	§ 112.8(a)	Except as in §112.8(b), no person may cause, suffer, allow, or permit emissions of SO ₂ from solid fossil fuel-fired steam generators to exceed 3.0 lb/MMBtu heat input averaged over a 3-hour period.	§ 112.2(a) § 112.8(d) ** See CAM Summary	§ 112.2(c)	§ 112.2(b)
BOILER 1	EU	R112-2	SO ₂	30 TAC Chapter 112, Sulfur Compounds	§ 112.9(a)	No person may cause, suffer, allow, or permit emissions of SO ₂ from any liquid fuel-fired steam generator, furnace, or heater to exceed 440 ppmv at actual stack conditions and averaged over 3-hours.	§ 112.2(a) § 112.9(e) ** See CAM Summary	§ 112.2(c)	§ 112.2(b)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	R117-1	NO _x	30 TAC Chapter 117, Subchapter E, Division 1	§ 117.3010(1)(A)(ii) § 117.3010 § 117.3010(1) § 117.3010(1)(A) § 117.3040(l)	In accordance with the compliance schedule in §117.9300 of this title, the owner or operator of each coal-fired utility electric power boiler shall ensure that emissions of nitrogen oxide (NO _x) do not exceed 0.165 pounds per million British thermal unit (lb/MMBtu) heat input on an annual (calendar year) average.	§ 117.3035(a) § 117.3035(a)(1) § 117.3035(a)(3) § 117.3035(b) § 117.3035(c) § 117.3035(d) § 117.3040(a) § 117.3040(d) § 117.3040(d)(1) § 117.3040(h) § 117.3040(h)(1) § 117.3040(k)	§ 117.3045(a) [G]§ 117.3045(e)	§ 117.3035(b) § 117.3045(b) § 117.3045(b)(1) § 117.3045(b)(2) [G]§ 117.3045(c) [G]§ 117.3045(d) [G]§ 117.3054(a) § 117.3054(c) § 117.3056
BOILER 1	EU	60D-1	PM	40 CFR Part 60, Subpart D	§ 60.42(a)(1)	On/after the §60.8 tests, no affected facility shall emit gases containing particulate matter in excess of 43 ng/J heat input (0.10 lb/MMBtu) derived from fossil fuel or fossil fuel and wood residue.	§ 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(2) [G]§ 60.46(d)(1) § 60.46(d)(2) [G]§ 60.46(d)(3) § 60.46(d)(6) § 60.46(d)(7) ** See CAM Summary	None	None
BOILER 1	EU	60D-1	PM (Opacity)	40 CFR Part 60, Subpart D	§ 60.42(a)(2) § 60.45(g) § 60.45(g)(1)	On/after the performance tests of §60.8, no affected facility shall emit gases exhibiting greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.	§ 60.11(e)(5) § 60.45(a) § 60.45(c) § 60.45(c)(3) § 60.45(g) § 60.45(g)(1) § 60.46(a) § 60.46(b)(3) ** See CAM Summary	None	§ 60.45(g) § 60.45(g)(1)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-1	SO ₂	40 CFR Part 60, Subpart D	§ 60.43(a)(2) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)	On/after the §60.8 tests, no affected facility shall emit gases containing SO ₂ in excess of 520 ng/J heat input (1.2 lb/MMBtu) derived from solid fossil fuel or solid fossil fuel and wood residue.	§ 60.45(a) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(4) [G]§ 60.46(d)(1) [G]§ 60.46(d)(3) § 60.46(d)(4) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-1	NO _x	40 CFR Part 60, Subpart D	§ 60.44(a)(4) § 60.44(a) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)	On/after the §60.8 tests, no affected facility shall emit gases containing NO _x , expressed as NO ₂ , in excess of 260 ng/J heat input (0.60 lb/MMBtu) derived from lignite or lignite and wood residue.	§ 60.45(a) § 60.45(b)(3) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(5) [G]§ 60.46(d)(1) § 60.46(d)(5) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)
BOILER 1	EU	60D-2	PM	40 CFR Part 60, Subpart D	§ 60.42(a)(1)	On/after the §60.8 tests, no affected facility shall emit gases containing particulate matter in excess of 43 ng/J heat input (0.10 lb/MMBtu) derived from fossil fuel or fossil fuel and wood residue.	§ 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(2) [G]§ 60.46(d)(1) § 60.46(d)(2) [G]§ 60.46(d)(3) § 60.46(d)(6) § 60.46(d)(7) ** See CAM Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-2	PM (Opacity)	40 CFR Part 60, Subpart D	§ 60.42(a)(2) § 60.45(g) § 60.45(g)(1)	On/after the performance tests of §60.8, no affected facility shall emit gases exhibiting greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.	§ 60.11(e)(5) § 60.45(a) § 60.45(c) § 60.45(c)(3) § 60.45(g) § 60.45(g)(1) § 60.46(a) § 60.46(b)(3) ** See CAM Summary	None	§ 60.45(g) § 60.45(g)(1)
BOILER 1	EU	60D-2	SO ₂	40 CFR Part 60, Subpart D	§ 60.43(a)(1) § 60.43(a) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)	On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases that contain SO ₂ in excess of 340 ng/J heat input (0.80 lb/MMBtu) derived from liquid fossil fuel or liquid fossil fuel and wood residue.	§ 60.45(a) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(4) [G]§ 60.46(d)(1) § 60.46(d)(4) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-2	NO _x	40 CFR Part 60, Subpart D	§ 60.44(a)(2) § 60.44(a) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)	On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility any gases that contain NO _x in excess of 129 ng/J heat input (0.30 lb/MMBtu) derived from liquid fossil fuel or liquid fossil fuel and wood residue.	§ 60.45(a) § 60.45(b)(3) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(5) [G]§ 60.46(d)(1) § 60.46(d)(5) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)
BOILER 1	EU	60D-3	PM	40 CFR Part 60, Subpart D	§ 60.42(a)(1)	On/after the §60.8 tests, no affected facility shall emit gases containing particulate matter in excess of 43 ng/J heat input (0.10 lb/MMBtu) derived from fossil fuel or fossil fuel and wood residue.	§ 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(2) [G]§ 60.46(d)(1) § 60.46(d)(2) [G]§ 60.46(d)(3) § 60.46(d)(6) § 60.46(d)(7) ** See CAM Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-3	PM (Opacity)	40 CFR Part 60, Subpart D	§ 60.42(a)(2) § 60.45(g) § 60.45(g)(1)	On/after the performance tests of §60.8, no affected facility shall emit gases exhibiting greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.	§ 60.11(e)(5) § 60.45(a) § 60.45(c) § 60.45(c)(3) § 60.45(g) § 60.45(g)(1) § 60.46(a) § 60.46(b)(3) ** See CAM Summary	None	§ 60.45(g) § 60.45(g)(1)
BOILER 1	EU	60D-3	SO ₂	40 CFR Part 60, Subpart D	§ 60.43(b) § 60.43(c) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)	When different fossil fuels are burned simultaneously in any combination, the applicable standard (ng/J) shall be determined by proration using the specified formula.	§ 60.45(a) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) § 60.45(c)(4) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(4) [G]§ 60.46(c) [G]§ 60.46(d)(1) § 60.46(d)(4) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(2) § 60.45(g)(2)(i)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
BOILER 1	EU	60D-3	NO _x	40 CFR Part 60, Subpart D	§ 60.44(b) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)	Except as stated in §60.44(c) and (d), when different fossil fuels are burned simultaneously in any combination, the applicable standard is determined by proration using the specified formula.	§ 60.45(a) § 60.45(b)(3) § 60.45(c) § 60.45(c)(1) § 60.45(c)(2) § 60.45(c)(3) § 60.45(c)(3)(i) § 60.45(c)(3)(ii) § 60.45(c)(4) [G]§ 60.45(e) [G]§ 60.45(f) § 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i) § 60.46(a) § 60.46(b)(1) [G]§ 60.46(b)(5) [G]§ 60.46(c) [G]§ 60.46(d)(1) § 60.46(d)(5) § 60.46(d)(6) § 60.46(d)(7)	None	§ 60.45(g) § 60.45(g)(3) § 60.45(g)(3)(i)
BOILER 1	EU	63UUUUU-1	112(B) HAPS	40 CFR Part 63, Subpart UUUUU	§ 63.9981 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable monitoring and testing requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 63, Subpart UUUUU

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
FWP-1	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6602-Table2c.1 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(i) § 63.6640(b) § 63.6640(f)(1) [G]§ 63.6640(f)(2) § 63.6640(f)(3)	For each existing emergency stationary CI RICE and black start stationary CI RICE, located at a major source, you must comply with the requirements as specified in Table 2c.1.a-c.	§ 63.6625(f) § 63.6625(i) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(i) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6655(f) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
FWP-2	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6602-Table2c.1 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(i) § 63.6640(b) § 63.6640(f)(1) [G]§ 63.6640(f)(2) § 63.6640(f)(3)	For each existing emergency stationary CI RICE and black start stationary CI RICE, located at a major source, you must comply with the requirements as specified in Table 2c.1.a-c.	§ 63.6625(f) § 63.6625(i) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(i) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6655(f) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LIGHAND1	EU	60Y-1	PM (Opacity)	40 CFR Part 60, Subpart Y	§ 60.254(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) § 60.257(a) [G]§ 60.257(a)(1) [G]§ 60.257(a)(3) ** See Periodic Monitoring Summary	None	None
STACK1	EP	R111-1	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	§ 111.111(a)(1)(D) [G]§ 111.111(a)(1)(F)	§ 111.111(a)(1)(C) § 111.111(a)(1)(D)	None

Additional Monitoring Requirements

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CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Nonagricultural Processes	SOP Index No.: R1153-1
Pollutant: PM	Main Standard: § 111.153(b)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: 2-hour block	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity	
CAM Text: The COMS shall be operated in accordance with 40 CFR Part 75 .10 and 40 CFR 75.14 and Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1). The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: BOILER 1	Control Device Type: Wet Scrubber
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 112, Sulfur Compounds	SOP Index No.: R112-1
Pollutant: SO ₂	Main Standard: § 112.8(a)
Monitoring Information	
Indicator: SO ₂ emission rate	
Minimum Frequency: The permit holder will collect at least four data values equally spaced over each hour, as required by 40 CFR § 75.10(d).	
Averaging Period: 3-hour rolling	
Deviation Limit: Maximum SO ₂ emission rate = 3.0 lb/MMBtu heat input, averaged over a three-hour period for solid fossil fuel only.	
CAM Text: The CEMS shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.11. The CEMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 75, Appendix A.	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: BOILER 1	Control Device Type: Wet Scrubber
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 112, Sulfur Compounds	SOP Index No.: R112-2
Pollutant: SO ₂	Main Standard: § 112.9(a)
Monitoring Information	
Indicator: SO ₂ emission rate	
Minimum Frequency: The permit holder will collect at least four data values equally spaced over each hour, as required by 40 CFR § 75.10(d).	
Averaging Period: 3-hour rolling	
Deviation Limit: Maximum SO ₂ emission rate = 440 ppmv, averaged over a three-hour period for liquid fossil fuel only.	
CAM Text: The CEMS shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.11. The CEMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 75, Appendix A.	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-1
Pollutant: PM	Main Standard: § 60.42(a)(1)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-2
Pollutant: PM	Main Standard: § 60.42(a)(1)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-3
Pollutant: PM	Main Standard: § 60.42(a)(1)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-1
Pollutant: PM (Opacity)	Main Standard: § 60.42(a)(2)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-2
Pollutant: PM (Opacity)	Main Standard: § 60.42(a)(2)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

CAM Summary

Unit/Group/Process Information	
ID No.: BOILER 1	
Control Device ID No.: ESP	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart D	SOP Index No.: 60D-3
Pollutant: PM (Opacity)	Main Standard: § 60.42(a)(2)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity except for one six-minute period per hour of not more than 27% opacity.	
CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with 40 CFR Part 75 and Performance Specifications of 40 CFR Part 75.10 and 40 CFR 75.14. The COMS shall be located, installed and operated in accordance with 40 CFR Part 75 and the Performance Specifications of 40 CFR Part 60, Appendix B (Performance Specification 1).	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: LIGHAND1	
Control Device ID No.: LIGHAND1	Control Device Type: Other Control Device Type
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1
Pollutant: PM (Opacity)	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Once per month	
Averaging Period: Six-minutes	
Deviation Limit: 20% Opacity	
Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one, six-minute period in accordance with Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation.	

Permit Shield

Permit Shield 57

Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
BOILER 1	N/A	40 CFR Part 63, Subpart DDDDD	Boiler is an electric utility steam generating unit which is an affected source under the Utility MACT (40 CFR 63 Subpart UUUUU).
FE-15	N/A	40 CFR Part 60, Subpart OOO	Affected facility was constructed prior to August 31, 1983.
FE-18	N/A	40 CFR Part 60, Subpart OOO	Affected facility was constructed prior to August 31, 1983.

New Source Review Authorization References

New Source Review Authorization References	59
New Source Review Authorization References by Emission Unit	60

New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 123647	Issuance Date: 10/31/2014
Authorization No.: 4180A	Issuance Date: 10/11/2013
Authorization No.: 54118	Issuance Date: 09/25/2012
Authorization No.: 96845	Issuance Date: 05/08/2012
Authorization No.: 98733	Issuance Date: 11/10/2011
Authorization No.: 99921	Issuance Date: 01/26/2012
Permits By Rule (30 TAC Chapter 106) for the Application Area	
Number: 106.102	Version No./Date: 09/04/2000
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.265	Version No./Date: 09/04/2000
Number: 106.371	Version No./Date: 09/04/2000
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 09/04/2000
Number: 106.473	Version No./Date: 09/04/2000
Number: 106.478	Version No./Date: 09/04/2000
Number: 106.511	Version No./Date: 09/04/2000
Number: 106.531	Version No./Date: 09/04/2000
Number: 106.532	Version No./Date: 09/04/2000

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
BOILER 1	BOILER	4180A
FE-15	LIMESTONE SLURRY/ASH FIXATION FUGITIVES	4180A
FE-18	LIMESTONE STORAGE PILE	4180A
FWP-1	EMERGENCY ENGINE	106.511/09/04/2000
FWP-2	EMERGENCY ENGINE	106.511/09/04/2000
LIGHAND1	LIGNITE HANDLING SYSTEM	4180A
STACK1	BOILER 1 STACK	4180A, 54118

Appendix A

Acronym List 62

Acronym List

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
CEMS	continuous emissions monitoring system
CFR	Code of Federal Regulations
COMS	continuous opacity monitoring system
CVS	closed vent system
D/FW	Dallas/Fort Worth (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G/B	Houston/Galveston/Brazoria (nonattainment area)
H ₂ S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MACT	Maximum Achievable Control Technology (40 CFR Part 63)
MMBtu/hr	Million British thermal units per hour
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NESHAP	National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)
NO _x	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PEMS	predictive emissions monitoring system
PM	particulate matter
ppmv	parts per million by volume
PRO	process unit
PSD	prevention of significant deterioration
psia	pounds per square inch absolute
SIP	state implementation plan
SO ₂	sulfur dioxide
TCEQ	Texas Commission on Environmental Quality
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound